United Nations CEDAW/C/SR.1644

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
8 November 2018

Original: English

Committee on the Elimination of Discrimination against Women
Seventy-first session

Summary record of the 1644th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 31 October 2018, at 3 p.m.

Chair: Ms. Leinarte

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of Tajikistan (*continued*)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.18-18354 (E) 071118 081118

1818354

Please recycle

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of Tajikistan (*continued*) (CEDAW/C/TJK/6; CEDAW/C/TJK/Q/6 and CEDAW/C/TJK/Q/6/Add.1)

1. *At the invitation of the Chair, the delegation of Tajikistan took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. Chalal**, noting that an increasing number of women in the State party were living with HIV/AIDS, said that she wished to know what measures were being taken to curb the HIV/AIDS pandemic, whether awareness-raising campaigns on prevention of HIV/AIDS were being conducted, what proportion of the budget had been allocated to the national programme to combat the HIV epidemic for the period 2017–2020, whether an assessment of that programme had been conducted and, if so, what trends it had revealed. Alternative sources indicated that women and girls living with HIV/AIDS were subjected to significant levels of discrimination and stigmatization, both in the home and in society, and were prevented by law from adopting or fostering children. She asked whether the Government would consider revising the governmental decree that denied such women the right to motherhood and whether it intended to repeal article 125 of the Criminal Code, which criminalized the transmission of HIV, thus denying women living with the virus the right to engage in sexual relations. It would be interesting to learn whether medical staff were trained to identify women victims of domestic violence who were living with HIV/AIDS and whether a register of such victims was made available.

3. Given that maternal and infant mortality rates remained high in certain sectors of society, she asked what additional measures were being taken to reduce those rates and to improve the quality, availability and accessibility of primary health-care services, particularly in rural areas.

4. The Committee would welcome information on any measures taken to adopt a comprehensive mental health policy and plan of action and to implement mechanisms for investigating reports of abuse of people living with mental illness in mental health facilities and to hold perpetrators accountable, as recommended by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health in his report on his mission to Tajikistan (A/HRC/23/41/Add.2).

5. She asked how the national action plan for family planning guaranteed access to sexual and reproductive health care for rural and vulnerable women, how obstetricians and midwives were distributed across the country and how many doctors there were in relation to women of childbearing age. The Human Rights Council had been informed that legal provisions on State funding of mandatory health insurance for specific population groups were not enforced in practice; she would appreciate the delegation's comments on that situation.

6. **Ms. Kosimzoda** (Tajikistan), replying to questions posed at the Committee's preceding meeting with respect to education, said that persons who had not been able to complete their secondary education had the option of doing so through a distance-learning programme, which they could pursue without leaving their jobs. Over 70 per cent of the students currently enrolled in the programme were women. The Centre for Gender Education was responsible for promoting gender equality at all levels of the education system, from the preschool level upward. Concepts pertaining to gender theory were analysed and adapted to the national cultural context. At higher education institutions, students could participate in seminars on gender and study the gender policy of Tajikistan and other related subjects.

7. The Ministry of Education and Science took every possible measure to ensure that young women could complete their secondary education. In 2018, over 73,000 girls had

done so. Of that number, some 6,000 had opted to continue their education at vocational training institutions.

8. The annual presidential quota for higher education, instituted in 1997, was applicable to students from remote areas and included a stipend to help them cover their living expenses. Since 2011 the quota had applied to boys as well as girls; over the previous four years, girls had accounted for 51 per cent of all beneficiaries of the quota.

9. **Ms. Hasanzoda** (Tajikistan) said that every effort was being made to encourage children not enrolled in school to return to school. Currently, there were only 35 such children, including 25 girls, in the whole country. Almost 69,000 women were employed as schoolteachers, and around 3,700 of them were in leadership positions. At the Talent Development Centre established by the Ministry of Education and Science, over 200 students were pursuing a programme aimed at gifted students.

10. The gender parity index stood at 0.93 for grades 1 to 4, 0.93 for grades 5 to 9 and 0.85 for grades 10 and 11. In general, the index tended to be slightly lower in urban areas, where school attendance was monitored more closely than in rural areas.

11. Every year, the Government, private sponsors and non-governmental organizations funded the complete refurbishment of a number of schools. When schools were selected for refurbishment, the main criterion considered was whether the refurbishment plans included the adaptation of the school to the needs of children with disabilities, who made up around 0.7 per cent of the total child population. A national road map for inclusive education for children with disabilities had been established to ensure that such children enrolled in school and received a quality education. In accordance with government policy on inclusive education, children with disabilities were provided with special assistance, and individual education plans were drawn up that took their specific needs into account. Children with disabilities attended either mainstream schools or one of the two special schools established in the country. Around 7,000 such children were enrolled in mainstream schools and, in the 2017/18 school year, around 595 had been educated at home. Around 480 children with disabilities aged between 2 and 7 years attended preschool institutions. Around 270 young persons with disabilities attended vocational schools, where they were trained in accountancy, radio technology, computer science and other subjects. Around 600 students with disabilities were enrolled at higher vocational institutions. Efforts to build new schools and adapt existing schools to the needs of children with disabilities would continue to be made to ensure that as many such children as possible could attend a mainstream school. Some 890 new schools had been built since 2010.

12. In 2016, around 100 additional preschool institutions had been created, bringing the total number to 609. In order to meet the demand for preschool education, 1,000 child development centres had been established that provided teaching and care to over 43,000 preschool children. Around 500 craft circles had also been established for that purpose.

13. Women made up between 60 and 70 per cent of the workforce in the health and education sectors, primarily because those sectors were more likely to offer flexible working hours that enabled women to combine paid work with childcare and other domestic commitments. In recent years, however, an increasing number of women had found work in the manufacturing and food processing sectors. Under the national development strategy, the manufacturing and technology sectors were expected to grow.

14. The gender pay gap, which stood at around 60 per cent, was due mainly to the fact that women tended to work fewer hours and occupy less senior positions than men. Furthermore, wages tended to be lower in those sectors where women were more likely to work. In recent years, the number of women working in the agricultural sector had decreased as more women had opted to work in manufacturing, health care and education. The planned transition from a primarily agricultural economy to a more industrialized, high-technology economy would benefit women, as the newly developed sectors would create new jobs that were not physically demanding.

15. **Mr. Rahmon** (Tajikistan) said that children living with HIV/AIDS received monthly cash payments. In order to prevent the transmission of HIV, children born to HIV-positive mothers were provided with free formula milk for the first 18 months of life.

Training sessions on the prevention of HIV/AIDS, which were also aimed at countering the stigma and prejudice surrounding the illness, were carried out in educational and other institutions. Universal screening for HIV/AIDS had been available for pregnant women since 2011; every year, over 90 per cent of pregnant women were tested for the condition.

16. **Ms. Haidar** said that she wished to know whether persons with disabilities who lost their jobs also lost their entitlement to the disability allowance. In view of the fact that fewer than 2 per cent of mothers in rural areas had access to childcare, she asked what steps were being taken to make childcare more accessible for working mothers. It would be interesting to learn whether the State party would consider introducing temporary special measures to provide competency-based training to women and increase the number of women in management positions. Given that relatively few women were currently employed in the technology sector, she asked whether steps would be taken to encourage more girls to study science and technology.

17. **Ms. Chalal** said that she would welcome an answer to her question as to whether the State party intended to repeal a decree under which HIV-positive women could not adopt or foster children.

18. **Ms. Verges** said that she wished to know whether reports that girls or women who were HIV-positive were not allowed to study medicine in the State party were accurate. She would appreciate a clarification of the figures provided by the State party in respect of school dropout rates and an indication of the percentage of faculty and other positions in higher education occupied by women. Lastly, it would be interesting to know whether efforts had been made in the schools to combat stereotypes about women and girls and whether sex education and reproductive health courses had been made part of general education curricula.

19. **Mr. Rahmon** (Tajikistan) said that persons with disabilities who were unable to work continued to receive benefits and that there were no restrictions on the education of girls who were HIV-positive.

20. **Ms. Hasanzoda** (Tajikistan) said that slightly more than 10 per cent of the senior administrative positions in the country's institutions of higher learning were occupied by women. Moreover, women accounted for just under a third of the faculty members of those institutions, four of which also had female rectors.

21. The 25 girls who had dropped out of school or were otherwise not enrolled represented the entire population of school-age girls not attending school. Girls or women had accounted for slightly more than a third of the students who had enrolled in institutions of higher learning for the 2017/18 academic year; that proportion was higher than in previous years. Girls and women were also enrolled in vocational education. The ratio of female to male students in more technical fields, especially the natural sciences, was increasing by the year. Tajik girls had done well at international mathematics and science competitions, and their performance in those competitions had been celebrated throughout the country.

22. The maternal mortality ratio had fallen from 33.3 per 100,000 live births in 2012 to the current 24.3 per 100,000 live births, a small but encouraging improvement. Women also had improved access to family planning services. The Ministry of Health and Social Welfare, together with donors, had developed plans to launch family planning programmes. It had also done considerable outreach work, including by disseminating the text of the Convention and the Committee's previous concluding observations. Courses on women's rights, including their reproductive rights, had been organized for family doctors. The country's rural areas were a primary target of the authorities' outreach efforts.

23. All pregnant women had access to medical care, including outside normal working hours. In recent years, the percentage of home births, which currently stood at less than 5 per cent, had fallen by more than half. A recent government decision had been taken to improve access to reproductive health care for minors, including minors in at-risk population groups. Thirty-nine per cent of the country's 18,700 doctors were women. Neonatal mortality rates were lower for girls than for boys.

24. **Mr. Rahmon** (Tajikistan) said that there was no decree preventing women living with HIV from adopting children or becoming guardians or foster parents.

25. **Ms. Hofmeister** said that Tajikistan was beset by a number of serious problems, not the least of which was the police force's general unfamiliarity with human rights. Poverty was also a serious problem, especially among women with special needs. In respect of social welfare, equality and health care in particular, the achievements of the Soviet era seemed but a distant memory. The civil war that had broken out shortly after the country had gained independence from the former Soviet Union appeared to have made Tajikistan a more firmly patriarchal society. Freedom of religion and freedom of movement for migrants were not fully respected, and women's rights were not recognized as human rights.

26. Against that backdrop, she wished to know what steps the State party was taking to support and protect families, especially households headed by single mothers; older women, especially farm women; and women and girls with disabilities. It would be particularly interesting to know what was being done in respect of decent wages and retirement income for women working in agriculture. She would welcome information on the provision of cash benefits, housing support and job-placement assistance.

27. She wondered whether any efforts had been made to encourage employers to hire women living with HIV/AIDS. She also wondered whether any activities had been carried out to help women gain access to credit and what obstacles prevented women from enjoying access to bank credit and other forms of financing on an equal footing with men.

28. It would be interesting to know what opportunities there were for women and girls to enjoy their leisure time, what sports facilities were accessible to them and what sports they preferred. The notable individuals from Tajikistan listed in the Wikipedia article on the country appeared to include only men. Were female winners of Olympic or Paralympic medals not also notable Tajiks?

29. **Mr. Rahmon** (Tajikistan) said that the previous speaker's unfavourable description of his country was insulting and inaccurate. Tajikistan was a secular, democratic State characterized by a separation of powers. Persons living with HIV/AIDS were not subjected to discrimination either by law or in everyday life.

30. **Ms. Hasanzoda** (Tajikistan) said that the population of Tajikistan included some 2 million women of childbearing age, approximately half of whom lived in rural areas, where families tended to be large. Grandmothers often helped raise children. Women who had been in formal employment were entitled to pension payments, which had increased significantly since 2016, starting at age 58. Average wages had also increased. As the average increase had been the same for both men and women, however, the gender pay gap had remained unchanged.

31. Female entrepreneurs were entitled to a number of tax credits and had access to bank loans on the usual conditions. Half the holders of credit cards in Tajikistan were women, as were half the holders of deposit accounts. Tajikistan was near the middle of the ranking of countries in terms of the progress made towards gender equality. It planned to narrow gender gaps and move into the top third of that ranking by 2030. All public buildings would be made accessible to persons with disabilities by 2020.

32. Poverty and extreme poverty had been more than halved in recent years, and plans had been made to ensure that they continued to fall. More than 90 per cent of the people who left Tajikistan for work went to the Russian Federation, but the number of such migrant workers had plummeted between 2013 and 2018, largely because of the economic downturn in the Russian Federation and an uptick in the number of jobs in Tajikistan. Women were increasingly finding employment in formal-sector industries where a number of new jobs had been created, in particular education, agriculture, health care, trade and finance.

33. **Mr. Rahmon** (Tajikistan) said that women in the country's urban areas had any number of opportunities to practise sports. Women took up martial arts, including tae kwon do, and boxing. Mavzuna Chorieva, a female boxer, had won a bronze medal for Tajikistan at the 2012 Olympic Games in London. Many other women represented the country internationally.

34. **Mr. Sattorzoda** (Tajikistan) said that it was inaccurate to suggest that women did not have opportunities to participate in sports. Women's football teams, for example, competed in Tajikistan.

35. **Ms. Hofmeister** said that she would welcome a description of the situation of women and girls living in rural areas and, in particular, of how it differed from that of men. She asked what the special needs of such women and girls were, whether politicians were aware of those needs and what kinds of inequality persisted in rural areas. Information on the access of rural women and girls to social services, domestic payment services, personal documents, housing, landownership and inherited property would also be appreciated. The delegation should indicate whether activities were undertaken to raise rural women's and girls' awareness of their rights.

36. The Committee had received information indicating that lesbian, gay, bisexual, transgender and intersex persons had, on occasion, been treated in an unacceptable manner by law enforcement officials, and were subjected to discrimination, exclusion, hate speech and other abuse. She wished to know what steps were being taken to promote acceptance of and respect for lesbian, bisexual, transgender and intersex women, whether campaigns were being conducted to change homophobic attitudes and what was being done to incorporate information on homosexuality into sex education curricula for students between the ages of 10 and 15 years.

37. Girls with disabilities should not automatically be institutionalized; they should be entitled to a life free from violence, including sexual violence, and should benefit from personal assistance and facilitated access to employment. It was important to establish the right conditions for girls with disabilities to thrive, including through the provision of court interpreters, wheelchair ramps, sanitary conveniences and appropriate transportation services.

38. According to the information at the Committee's disposal, women found guilty of offences such as theft and drug dealing were often given prison sentences that were disproportionately long in comparison to those imposed on men for more serious crimes such as rape and murder. In addition, women's prison conditions were deplorable, and there were no programmes to promote the social and occupational reintegration of former inmates, to protect them from stigma and discrimination or to provide them with identity documents, medical care and permanent, affordable housing. She would be interested to know what measures were being adopted to bring prison conditions into line with the Convention, the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders and other relevant international human rights standards. She would also welcome comments on efforts to ensure regular prison monitoring, to change the legal framework governing prison release management, to develop and run reintegration programmes with the cooperation of women's non-governmental organizations and to provide free psychological, legal, social and financial assistance to former inmates.

39. She would be grateful for information on the treatment afforded to sex workers in the State party, especially by law enforcement officials, who allegedly often blackmailed them. She asked how the State party addressed the practice of prostitution and whether it would consider implementing the so-called "Nordic model" for sex buyers. Details of the steps being taken to improve the situation of women living with HIV/AIDS, including efforts to combat stigmatization and exclusion, for example by abolishing the rule that prevented such women from studying medicine, would also be welcome. Lastly, she asked what role the opium poppy played in the State party's economy.

40. **Ms. Kosimzoda** (Tajikistan) said that the Chair of the Committee on Women and the Family was also the head of her country's gymnastics federation, and that all women had access to gymnastics.

41. Under the Asian Development Bank-financed project (No. G0245) launched in 2015, 137 women from disadvantaged backgrounds living in remote districts near the border with Uzbekistan had been offered support in finding employment. Since 2006, 2 million somoni had been allocated each year to the promotion of women's entrepreneurship, which had also been boosted through a range of provincial initiatives.

42. The Committee on Women and the Family regularly visited women in prison. In one facility in the city of Nurek, it had opened a sewing workshop that employed around 100 women. On their release from prison, women who had drawn up a business plan could apply for a grant to help them to implement it.

43. **Ms. Hasanzoda** (Tajikistan) said that, according to a 2017 study in which some 8,000 families had been contacted, 45 per cent of women obtained the majority of their information on family planning and reproductive health from watching television, while 18 per cent did so from print media. Only a few women had indicated that they had never received any such information.

44. The number of sports facilities in Tajikistan had stood at around 9,000 in 2017. Extensive efforts were being made to promote and develop sport in the country. There was one women's prison, located in Nurek, and a total of 412 women inmates.

45. **Mr. Sattorzoda** (Tajikistan) said that national criminal laws provided for more favourable treatment of women than men. For instance, women could not be sent to labour camps, and pregnancy was considered to be a mitigating circumstance. Pregnant women could not be sentenced to life imprisonment; many benefited from amnesties, even in the case of serious crimes. Women with children under 8 years of age had their sentences deferred. When women failed to appear for questioning in response to a summons, they were not forcibly arrested.

46. Same-sex marriage and adoption by same-sex couples were not legal in Tajikistan. There had been no reported cases of violence against lesbian, gay, bisexual, transgender or intersex persons during the period under review. The Government protected the rights and freedoms of such persons and held individuals who violated the law to account. There were no domestic legal provisions limiting the lawful interests of members of sexual minorities. The Criminal Code established liability for crimes of a sexual nature and for violence or threats of violence against a person or his or her relatives.

47. **Ms. Hasanzoda** (Tajikistan) said that mother-to-child transmission of HIV accounted for less than 1 per cent of all new HIV infections. The children of mothers with HIV were provided with free formula, and every effort was made to prevent HIV transmission and raise the population's awareness of the risk thereof.

Articles 15 and 16

48. **Ms. Manalo** said that she wished to know what was being done to prevent early and forced marriages, whether mechanisms were in place to identify them and whether the Government collected statistics in that regard. She would appreciate information on the number of cases, between 2014 and 2017, in which domestic courts had granted an exception to the minimum age for marriage. It appeared that the minimum age could be lowered from 18 to 17 years upon request, yet there was no provision in law for such an eventuality. She invited the delegation to comment on how that apparent inconsistency between law and practice was reconciled and to describe the most common reasons given by judges to justify the granting of an exception.

49. She asked how many court decisions had been handed down between 2014 and 2017 in relation to the recovery of child support payments, how many of those decisions had actually been implemented and what mechanisms had been set up to ensure that women, in particular, received child support.

50. In 2016, provisions on mandatory check-ups had been added to the Family Code. It was reported that such check-ups were used to perform virginity tests, which had contributed to an increase in the suicide rate among young women because of accusations of loss of virginity. She asked the delegation to clarify how the introduction of provisions on mandatory check-ups was compatible with the State party's obligation to eliminate discrimination against women, particularly in matters relating to marriage. Information on the measures being taken to encourage official marriage registration, which had allegedly declined in recent years amid a rise in the popularity of traditional marriages, would also be of interest. She would be grateful to receive statistics on the suicide rate among young women and an explanation of how the State party was addressing the increase in that rate.

51. **Ms. Hasanzodə** (Tajikistan) said that, pursuant to the Family Code, the minimum age for marriage in Tajikistan was set at 18 years. The number of registered early marriages had fallen from 12 in 2012 to none in 2017. The average age of first-time mothers was 21.9 years. According to statistics gathered by the Ministry of Internal Affairs, in the first eight months of 2018 there had been 733 complaints of crimes involving a violation of the rights and freedoms of minors in relation to education and early marriage.

52. A law had been adopted on parental responsibility for children's education. As part of the outreach work to promote awareness of the law, 8,900 workshops had been held in 2018 alone, and information had been disseminated in vocational institutions, on television and the radio, in State-owned companies and in labour unions. In addition, over 3,000 raids had been carried out, as a result of which some parents had been fined for trying to give their children away in early marriage. As the level of education of women and girls steadily improved, the number of violations of provisions on early marriage was falling.

53. **Ms. Kosimzoda** (Tajikistan) said that on 1 March 2005 the Government had adopted the Act on State Guarantees of Equal Rights for Men and Women and Equal Opportunities in the Exercise of Such Rights, which covered rights in the social, political, cultural and other spheres. Article 17 of the Constitution provided that all citizens were equal before the law, while article 19 enshrined the right of all citizens to judicial protection. Pursuant to article 24, all citizens were entitled to choose their place of residence and to enjoy freedom of movement both within and outside the country. Medical check-ups were necessary before a woman could enter into marriage. Virginity testing, however, did not occur in Tajikistan.

54. **Mr. Rahmon** (Tajikistan) said that ever since his country had gained independence, efforts had been made to build a democratic and secular State governed by the rule of law, an important element of which was respect for fundamental human rights and freedoms, including those of women. The Government intended to continuously fine-tune the institutional and legal mechanisms in place to ensure the implementation of international human rights treaties and the recommendations of treaty bodies. It would also seek to strengthen its cooperation with the Committee, whose comments and recommendations would be discussed by the relevant State structures in consultation with civil society.

The meeting rose at 4.40 p.m.